
F/YR25/0594/O

**Applicant: Mr S Ebrahim
Ebrahim Family Trust**

**Agent: Elaine Chiva
Aspect Architectural Design**

Land North Of 450 To 454, March Road, Turves, Cambridgeshire

Erect 3 x dwellings involving the formation of accesses (outline application with all matters reserved)

Officer recommendation: Refuse

Reason for Committee: - Referred by Head of Planning on advice of committee Chairman

1 EXECUTIVE SUMMARY

- 1.1 This application seeks outline planning permission, with all matters reserved, for the construction of three dwellings on land north of March Road, Turves. The site lies within Flood Zone 3, beyond the established built form of the village, and forms part of open countryside.
- 1.2 An extant permission exists on the adjoining site for three dwellings, which carries weight in establishing the principle of development; however, the impacts of the current proposal must be considered independently.
- 1.3 The site is located in an “Elsewhere” location with very limited access to local services and facilities. Sustainable transport options are poor, which would result in future residents being heavily reliant on travel to nearby villages and towns.
- 1.4 The Sequential Test for flood risk has not been properly undertaken in accordance with the updated guidance (June 2025), and the Exception Test is only partially satisfied. As such, the proposal is contrary to national and local policy on flood risk.
- 1.5 Ecological information submitted is insufficient to determine the likely impacts on protected species, including great crested newts, reptiles, and badgers. While a Biodiversity Net Gain condition could secure habitat enhancement, the absence of species-specific survey data prevents a proper assessment of ecological impacts.
- 1.6 The development would extend the built form into open countryside, causing harm to the character and appearance of the area and creating a precedent for unsustainable piecemeal development.
- 1.7 On balance, the modest benefits of three dwellings are outweighed by environmental harm, flood risk, insufficient ecological information, and conflict with local and national planning policy. The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site extends to approximately 3,870sqm and comprises a parcel of land situated to the north of March Road, close to its junction with Whittlesey Road. Existing residential development lies to the south, fronting March Road, and to the east along Whittlesey Road. To the north and west, the land remains open in character, with the Peterborough–March railway line also located immediately to the north. The entire site lies within Flood Zone 3.

3 PROPOSAL

- 3.1 Outline planning permission is sought, with all matters reserved, for the construction of three dwellings. Indicative plans have been submitted showing access taken from March Road together with an illustrative layout of the site. Whilst the precise details would be addressed at the reserved matters stage, the information provided is considered to give a reasonable indication of how the site could be developed

Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

- 4.1 There is no relevant site history pertaining to the site as outlined in red. The below relates to sites within the vicinity:

Reference	Description	Decision
F/YR23/0362/O	Erect up to 3 x dwellings with associated accesses and infrastructure (outline application with all matters reserved)	Granted

5 CONSULTATIONS

5.1 Whittlesey Town Council

Object to the proposal and recommend refusal as contrary to LP3, LP12, LP16 (d). Observations as grounds of objection relate to Highways reservations, no comment from the LLFA and loss of natural habitat.

External Consultees

5.2 Cambridgeshire County Council – Highways

Comment: Safe access is uncertain due to the site's proximity to a sharp bend. The applicant must demonstrate adequate visibility splays and forward visibility in line with the 40mph limit (or adjusted to observed speeds).

5.3 Environment Agency

No objections: The main source of flooding is from watercourses under the IDB's jurisdiction. Under NPPF (para. 162), development should only occur if no

suitable lower-risk sites are available; the Local Planning Authority decides if the Sequential Test applies.

5.4 Natural England

No objection.

5.6 The Wildlife Trust

No comments received at the time of writing this report.

Internal Consultees

5.7 FDC Environmental Health

No objection. Recommends inclusion of a condition limiting working hours should the application be approved.

5.8 FDC Ecology

Objects due to insufficient information, as no dedicated surveys have been submitted for great crested newts, reptiles, and badgers. These legally protected species are a material consideration in determining the planning application.

5.9 Local Residents/Interested Parties

Seven letters of objection have been received from residents on March Road and School Road, Turves. These are summarised below:

Objecting Comments	Officer Response
Flood Risk – lack of sequential and exceptions test	Comments noted and discussed in the relevant section of the below report.
Impact on wildlife	Comments noted and discussed in the relevant section of the below report.
Impact on open character of the area	Comments noted and discussed in the relevant section of the below report.
Transport/infrastructure deficiencies	Comments noted and discussed in the relevant sections of the below report.
Ribbon development – undermining established settlement pattern	Comments noted and discussed in the relevant section of the below report.
Lack of meaningful engagement	Comments noted – from the LPA perspective, the statutory consultations and publication of the application have been undertaken in line with requirements.
Requests a number of conditions imposed if application is approved	Comments noted.
Concerns piecemeal development comes forward to avoid contribution amounts including transport, open space etc...	Comments noted. This could be dealt with should this application be approved and further schemes come forward by the same Applicant. In accordance with Local Plan Policy LP13.
Highway Safety	Comments noted and discussed in the

	relevant section of the below report.
Contrary to Local Plan Policy LP12 – Turves exceeding threshold in commitments and no clear local community support/engagement	Comments noted and discussed in the relevant section of the below report
Poor Connectivity	Comments noted and discussed in the relevant section of the below report.
Cumulative impacts – potential for 12+ dwellings along this stretch – highway impact during construction, character and appearance, amenity	Comments noted. This could be dealt with should this application be approved and further schemes come forward.
Lack of design/layout detail	Comments noted. However, the application is outline in nature with all matters reserved, should the application be approved, this is a matter for consideration under a subsequent reserved matters application.
Sets a precedent.	Comments noted and discussed in the relevant section of the below report.
Impact on outlook/Loss of View	Comments noted however, loss of a view this is not a material planning consideration in the determination of the application.
Light Pollution	Comments noted and discussed in the relevant section of the below report.
Property devaluation	Comments noted. However, this is not a material consideration in the determination of a planning application.

One letter commenting on the application has been received by a resident of Whittlesey Road, March. These are summarised below:

Comments	Officer Response
Need for supporting infrastructure	Comments noted and discussed in the relevant section of the below report.
A number of applications submitted for additional houses show an appetite for the village to grow – it isn't ready	Comments noted and discussed in the relevant section of the below report.
Several approved homes remain unbuilt	Comments noted and discussed in the relevant section of the below report.
Strain on local services	Comments noted and discussed in the relevant section of the below report.
Transport and connectivity	Comments noted and discussed in the relevant section of the below report.
Growth not yet sustainable	Comments noted and discussed in the relevant sections of the below report.
Turves lacks amenities and social space to support community growth	Comments noted and discussed in the relevant sections of the below report.
Development should only proceed if supported by appropriate infrastructure, services and community facilities.	Comments noted and discussed in the relevant section of the below report.

6 STATUTORY DUTY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) and Whittlesey Neighbourhood Plan.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Uses

Homes and Buildings

Resources

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP19 – The Natural Environment

Whittlesey Neighbourhood Plan 2021-2040

Policy 1 – Spatial Planning

Policy 2 – Local Housing Need

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM2 – Natural Features and Landscaping Schemes

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

Cambridgeshire Flood and Water SPD 2016

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP6: Renewable and Low Carbon Energy Infrastructure
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP29: Green Infrastructure
- LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design and Impact on Character and Appearance of the Area**
- **Residential Amenity**
- **Amenity Space**
- **Highways**
- **Flood Risk**
- **Ecology**
- **Biodiversity Net Gain**
- **Planning Balance**

9 BACKGROUND

- 9.1 The application site lies immediately to the west of the land subject to planning permission F/YR23/0362/O. The determination of that scheme represents a material consideration in the assessment of the current proposal. Application F/YR23/0362/O was considered by Planning Committee on 20 September 2023 following an officer recommendation of refusal on the grounds that the site was in

an “Elsewhere” location, would harm the character and appearance of the area, raised highway safety concerns, and failed to demonstrate compliance with flood risk policy.

- 9.2 Notwithstanding these concerns, members resolved to approve the application against officer recommendation. In reaching this decision, members concluded that the development would not adversely affect local character or appearance and could reasonably be regarded as part of the settlement of Turves. Whilst officers highlighted the lack of infill status and the absence of a sequential test for flood risk, members placed weight on the limited infill opportunities within the village and the identified need for additional development.
- 9.3 Concerns relating to biodiversity were considered capable of being addressed by condition, including the submission of a biodiversity report and enhancement measures. Similarly, highway matters, including visibility splays, were judged to be resolvable through the imposition of appropriate conditions.
- 9.4 Overall, members concluded that the policy conflicts identified were outweighed by local context and site-specific circumstances, and delegated authority was given to officers to issue permission subject to conditions.
- 9.5 Since the determination of application F/YR23/0362/O, local guidance regarding the application of the sequential test and the definition of appropriate search areas has been updated (June 2025). The relevance and impact of this will be addressed later in this report.

10 ASSESSMENT

Principle of Development

- 10.1. Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy. This policy identifies Turves as a Small Village, where development will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling or a small business opportunity. This stance is supported within Policy 1 of the Whittlesey Neighbourhood Plan
- 10.2. Policy LP5 sets out the housing targets for the District and the Council has undertaken a full assessment of the Five Year Housing Land Suppl. In June 2025, Fenland District Council published a new Five Year Housing Land Supply report (for the five-year period between 1st April 2025 and 31st March 2030) which concludes that the Council can demonstrate a 6.6 years supply of housing land. As the Council can demonstrate a robust supply of housing land which is well in excess of five years supply, substantial weight is given to the Fenland Settlement Hierarchy as specified within the Local Plan.
- 10.3. In terms of Policy LP3, the site cannot reasonably be regarded as infill development. It extends into open, undeveloped land beyond the existing built form of the settlement to the north, and there is no established frontage development on the northern side of March Road that the proposal could be seen to fill. While it is acknowledged that residential units exist at the junction of March Road and Whittlesey Road, along with the extant approval referenced above, the application site nonetheless represents encroachment into undeveloped land and is therefore

considered contrary to the provisions of Local Plan Policy LP3 and the Whittlesey Neighbourhood Plan Policy 1.

- 10.4. The site lies approximately 500 metres (as the crow flies) from the centre of Turves. It is located around 3km from Coates, a Limited Growth Village, and approximately 5km and 7km respectively from March and Whittlesey, both categorised as Market Towns. Turves itself contains no facilities within its developed envelope, and as such, future occupants would be reliant on travelling to nearby villages and towns to access everyday services.
- 10.5. The nearest railway station is at Whittlesey, which is around a 10-minute drive, a 30-minute cycle, or a two-hour walk from the application site. The station provides services on the Ipswich–Cambridge–Peterborough line, typically operating every two hours until 21:31, and the Cambridge–Ely–Peterborough–Norwich line, which runs every 30 minutes to one hour during peak periods and bi-hourly outside peak hours until 21:31.
- 10.6. With regard to bus services, the nearest stops are located within the Market Towns, requiring a similar journey time as set out above. The village of Coates also benefits from a number of bus stops, served by the No. 33 route operating between Peterborough and March. This service runs every two hours, Monday to Saturday, from approximately 5am until 7pm. Taken together, these transport options mean that the site does not offer sustainable access, particularly in inclement weather. On this basis, the location is regarded as an Elsewhere site, and the proposal is contrary to the above-mentioned policies.
- 10.7. It is noted that Turves has already exceeded its threshold for development. However, an appeal decision received in respect of an application that was refused purely on this basis (F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in an otherwise acceptable scheme being refused and against this backdrop the absence of community support does not render the scheme unacceptable in planning terms.
- 10.8. However, as set out in Section 9 of this report, outline planning permission (with all matters reserved) has recently been granted on the adjoining site to the east for three dwellings. This permission remains extant and is afforded significant weight in establishing the principle of development at this location. Accordingly, and despite the policy concerns outlined above, it is considered that the principle of residential development on the current site is acceptable.

Design and Impact on Character and Appearance of the Area

- 10.9. Policy LP16 of the Fenland Local Plan, sets out a number of criteria which proposals are required to meet, to ensure that high quality environments are provided and protected. Most relevant to the proposal are:

(d) makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.

- 10.10. Policy LP12 of the Local Plan supports development that does not harm the wide-open character of the countryside and provides further guidance as to the restriction of such development to ensure that it has an acceptable impact on the settlement and its character. The Policy requires development to meet certain criteria in order to be supported. The site must be in or adjacent to the existing developed footprint of the village, it must not result in coalescence with any neighbouring village and must not have an adverse impact on the character and appearance of the surrounding countryside and farmland. Similarly, the proposal must be in keeping with the core shape and form of the settlement, without resulting in the extension of linear features or create ribbon development, and must retain natural boundaries, respect ecological features, important spaces, etc. Finally, the proposal must be served by sustainable infrastructure and must not put people or property in danger from identified risks.
- 10.11. The above stance is supported by the Whittlesey Neighbourhood Plan Policy 7. Further guidance is provided within the Delivering and Protecting High Quality Developments SPD.
- 10.12. The application site comprises vacant land to the north of March Road, surrounded by open land to the north and west. The core shape and form of the settlement is defined by a row of dwellings on the south side of March Road and development on both sides of Whittlesey Road extending northwards from its junction with March Road. At present, there is no built out development on the north side of March Road east of the railway crossing, with the exception of No. 491, located at the junction with Whittlesey Road. That property is visually separated from the remainder of the northern side of March Road by a substantial line of screening vegetation.
- 10.13. The proposed development would conflict with the established core shape and built form along both March Road and Whittlesey Road. Expansion of the built form along the northern side of March Road would diminish the openness of the area, which is a defining characteristic of the local countryside. Aside from development on Whittlesey Road, there has been no encroachment into open land, and there are no gaps along the northern side of March Road that the proposal could reasonably be said to infill. Allowing development in this location would erode the character and appearance of the area and risk creating a precedent for further piecemeal encroachment into the countryside, in conflict with Policy LP12.
- 10.14. Given the outline nature of the application, assessment of design is necessarily limited. Consideration is confined to whether the quantum of development is appropriate for the site and whether the site is capable of accommodating such development in an acceptable manner.
- 10.15. The locality is generally characterised by modest detached dwellings which together form a coherent and consistent streetscape. However, development to the north side of March Road is limited, and introducing dwellings here would domesticate land that currently contributes to the rural setting.
- 10.16. The proposed scheme would see up to three detached dwellings sited on undeveloped land that currently provides a clear and natural edge to the settlement, marking the transition between the built form of Turves and the open countryside. Long views across the fen landscape are an intrinsic part of the area's character and should be preserved. Although the railway line runs to the

north of the site, it does not provide a strong visual boundary; there are no fences or significant features that would obstruct open views across the agricultural landscape.

- 10.17. The indicative siting of the proposed dwellings aligns with the outline permission granted on the adjacent site to the east. This appears intended to ensure a degree of continuity with that proposal, creating a line of development on the north side of March Road akin to the established pattern on the south side.
- 10.18. Nevertheless, aside from the adjoining approval, there is no other development on the northern side of March Road. Introducing new dwellings here would impose a new and intrusive built form within otherwise open countryside. Whilst the three dwellings permitted to the east may be viewed as a continuation of the built form along Whittlesey Road, they arguably mark a logical end point for development before the landscape transitions into open fenland. Extending development beyond this point would represent an unwarranted encroachment.
- 10.19. It is acknowledged that the extant approval to the east carries significant weight in establishing the principle of development on this side of March Road. However, the impact on character and appearance must be considered independently of principle. Whilst one small-scale scheme may be absorbed without fundamentally altering the settlement's form, the cumulative effect of successive permissions risks eroding the open and rural character of the area. This proposal, when taken together with the adjoining scheme, would extend development further into open countryside and intensify its domestication, thereby compounding the harm to settlement character.
- 10.20. Accordingly, the proposed development would harm the character and appearance of the rural area by conflicting with the established settlement pattern and by setting a precedent for further expansion into the countryside. This would erode the rural character to the north of March Road and west of Whittlesey Road, contrary to the requirements of Policy LP12 and Policy LP16(d) of the Local Plan and Policy 7 of the Whittlesey Neighbourhood Plan.

Residential Amenity

- 10.21. Policy LP2 of the Fenland Local Plan seeks to promote high levels of residential amenity. Similarly, Policy LP16 requires development proposals to not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.
- 10.22. The application site is bordered by a number of neighbouring properties to the southern side of March Road and by a potential additional neighbouring property to the east under the approved permission F/YR23/0362/O.
- 10.23. As this application is in outline form with all matters reserved, layout details are indicative only and amenity impacts will need to be fully considered at the reserved matters stage. Based on the indicative layout, it is unlikely that a dwelling in this location would give rise to significant harm to neighbouring occupiers by way of overlooking, loss of light, loss of privacy, or overbearing impact. Nevertheless, careful attention will need to be given to window positioning at the detailed design stage to protect the private amenity spaces of both the proposed dwellings and those approved under F/YR23/0362/O.

10.24. The proximity of the site to the existing railway line raises potential issues of noise and vibration. However, it is noted that dwellings have previously been approved closer to the railway (e.g. F/YR18/1133/F), where mitigation measures such as acoustic boundary treatments and sound insulation were secured by condition. As this application is for outline consent only, it is considered that any noise impacts could be appropriately mitigated at the reserved matters stage, if permission were to be granted.

10.25. It is noted that neighbouring representations have raised concerns regarding light pollution and its potential impact on residential amenity. Any issues relating to on-site lighting could be addressed through the use of a planning condition, should the application be approved. With regard to vehicular movements and associated lighting, as the proposal relates to only three dwellings, it is not considered that this would result in a material intensification, beyond that of the existing road between the sites, sufficient to justify refusal of the application.

Amenity Space

10.26. It is pertinent to note that any plans submitted as part of this application are for indicative purposes only and any detailed assessment would take place under the subsequent reserved matters application. However, as previously stated, based on the site constraints these are considered to be reflective of the proposed scale and layout of the site.

10.27. Policy LP16 (h) states that development should provide sufficient private amenity space, suitable for the type and amount of development proposed and for dwellings other than flats, a minimum of a third of the plot curtilage should be set aside as private amenity space.

10.28. On the basis of the indicative layout, it is considered that sufficient private amenity space could be achieved in line with policy requirements. However, in view of the site's proximity to the railway, it will be important that noise mitigation measures are incorporated to ensure this space is of high quality and usable. These matters can be addressed in detail at the reserved matters stage

Highways

10.29. Policy LP15 requires all new development proposals to contribute to the delivery of the sustainable transport network by providing well designed, safe, convenient access for all. Development proposals should provide well designed car and cycle parking appropriate to the amount of development proposed, ensuring parking provision is provided in accordance with the standards. Appendix A sets out that for up to three bedroom properties, parking provision for two vehicles is required.

10.30. The indicative layout demonstrates that sufficient space exists to provide at least three off-street parking spaces per dwelling, which would either meet or exceed the requirements of Policy LP15 depending on the number of bedrooms provided.

10.31. The Local Highway Authority has advised that insufficient information has been submitted, with safe access remaining uncertain due to the site's proximity to a sharp bend. The applicant must demonstrate adequate visibility splays and forward visibility in line with the 40mph limit (or adjusted to observed speeds). These comments are noted; however, as all matters are reserved, it is not considered

reasonable to require this detail at this stage. Furthermore, if the application were not being refused for other reasons, the Agent/Applicant would be given the opportunity to provide the necessary evidence to satisfy this requirement, or adequate suitably worded conditions included to ensure the required visibility splays are achieved. This is a similar stance to that previously taken by the Council, under the determination of the scheme at the adjacent site (F/YR23/0362/O).

Flood Risk

- 10.32. Policy LP14 of the Fenland Local Plan and paragraphs 170-182 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk, with both documents steering development in the first instance towards land at a lower risk of flooding. This is achieved by means of requiring development proposals to undertake a sequential test to determine if there is land available for development at a lower risk of flooding than the application site and only resorting to development in those higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding.
- 10.33. The application site is situated within Flood Zone 3. A Flood Risk Assessment undertaken by Geoff Beel Consultancy dated July 2025 has been provided in support of this application. This document outlines that the sequential and exception test are met as the development is protected against both the 1 in 100 fluvial floods event and also the 1 in 200-year tidal flood event and therefore meets the requirements of the NPPF.
- 10.34. However, these conclusions are considered fundamentally flawed. The Planning Practice Guidance (PPG) is clear that a Sequential Test is required for all planning applications in areas at risk of flooding from any source, including land within Flood Zones 2 and 3. The core purpose of the Sequential Test is to steer new development to areas of lowest risk (Flood Zone 1), consistent with the risk-based approach set out in paragraph 173 and 175 of the NPP.
- 10.35. As the site lies within an area of identified flood risk, the Sequential Test is engaged. The fact that flood mitigation measures may be possible does not remove the need for the Sequential Test; such measures fall to be considered under the Exception Test. In the absence of a robust Sequential Test, the proposal fails to meet a fundamental requirement for residential development in high-risk flood areas and is contrary to Policy LP14 of the Fenland Local Plan, the NPPF, and associated PPG.
- 10.36. Updated guidance published on the Council's website (June 2025) clarifies the approach to the Sequential Test. It confirms that the applicant must define and justify an appropriate area of search, which will vary depending on the settlement type and scale of development:
- For Market Towns and Growth Villages, the search area will normally be limited to land within or adjacent to the settlement.
 - **For all other locations—including Small Villages, Limited Growth Villages, and Elsewhere locations—the search area will normally be districtwide.**(emphasis added)

To pass the Sequential Test, applicants must demonstrate that no reasonably available sites exist within the defined area of search at lower risk of flooding.

- 10.37. Since the publication of the updated guidance outlined above, further revisions to the PPG have been introduced to provide additional clarification on the application of the Sequential Test. Notwithstanding this, given that the proposed development is of a scale exceeding that envisaged for the settlement under the adopted hierarchy, it remains appropriate for the area of search to be considered on a district-wide basis. This approach reflects both the strength of the district's overall housing supply and the need to maintain a balanced approach to delivering the adopted spatial strategy. The scheme will therefore be assessed on this basis.
- 10.38. Notwithstanding the above, it is acknowledged that a degree of flexibility may be justified in certain circumstances. Where proposals are specifically intended to address an identified local housing need, a more localised area of search may be appropriate, provided it is proportionate to the scale and purpose of the development. In the absence of robust evidence demonstrating that this application is required to meet a defined local housing need, it is not considered appropriate to apply a reduced search area in this instance
- 10.39. It is acknowledged that outline planning permission has previously been granted on the adjoining site for three dwellings, where members gave weight to the fact that the whole of Turves lies within Flood Zone 3 and therefore considered the Sequential Test passed. However, that decision pre-dated the publication of the updated guidance (June 2025), which represents a material consideration of significant weight.
- 10.40. Under the updated guidance, the appropriate area of search for development in a Small Village is districtwide. As there are clearly other available sites within Fenland at lower risk of flooding, the Sequential Test cannot be considered satisfied. The proposal is therefore contrary to the NPPF, PPG, and Policy LP14.
- 10.41. Notwithstanding the above, the NPPF confirms that where it is not possible to locate development in zones of lower flood risk, the Exception Test may be applied. This test provides a framework for assessing whether development can proceed safely, whilst recognising the wider sustainability needs of a community.
- 10.42. The Exception Test comprises two elements, both of which must be satisfied:
- a) Development to demonstrate that it achieves wider community sustainability benefits having regard to the district's sustainability objectives, and
 - b) That it can be made safe for its lifetime and will not increase flood risk elsewhere ('flood risk management')
- 10.43. With respect to limb (a), the provision of three market dwellings carries negligible wider sustainability benefit, particularly given the Council can demonstrate a 6.6-year housing land supply. The proposal does not therefore deliver the necessary wider community sustainability benefits, and this element of the Exception Test is not satisfied.
- 10.44. With respect to limb (b), the FRA proposes finished floor levels 300mm above carriageway level, flood resilience measures up to 0.5m above floor level, and surface water disposal via soakaways. These measures could ensure the

dwelling is safe for their lifetime and would not increase flood risk elsewhere. Accordingly, limb (b) of the Exception Test is considered satisfied.

- 10.45. Nevertheless, as both elements of the Exception Test must be met, and the Sequential Test has not been passed, the application fails to comply with Policy LP14, the NPPF, and the PPG.
- 10.46. In conclusion, insufficient evidence has been submitted to demonstrate compliance with the Sequential Test, and the proposal fails part (a) of the Exception Test. Whilst the technical flood mitigation measures proposed may be acceptable, the lack of wider sustainability benefits and failure to steer development to areas of lower risk renders the application contrary to local and national flood risk policy.
- 10.47. Whilst it is acknowledged that the Environment Agency has raised no objection and has confirmed that the site is not at risk of flooding from fluvial or tidal sources, this does not override the need for a compliant and site-specific flood risk assessment including appropriate sequential test, particularly where a new vulnerable use is being introduced. The LPA must assess the acceptability of the proposal in line with the broader requirements of the NPPF and the Local Plan, beyond EA standing advice alone.
- 10.48. Based on the information submitted, insufficient information has been submitted to adequately satisfy the sequential test. Furthermore, the Applicant has failed to demonstrate any further public benefit of the proposal and has not satisfied part 1 of the exceptions test. The information submitted in respect of flood risk is not considered fit for purpose. Whilst it is noted that the Lead Local Flood Authority has raised no objection to the proposal, the LPA has a duty to undertake their own assessment in applying the sequential and exception test and it is deemed that the proposed benefits of the scheme do not overcome the identified harm. The proposal is therefore contrary to policy LP14 of the Local Plan and the guidance contained within the NPPF

Ecology

- 10.49. Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.50. A preliminary ecological appraisal undertaken by Archer Ecology dated May 2025 accompanies this application. This report identifies that the following further surveys are required:
- eDNA testing of nearby waterbodies (Pond 1, 2 and Drain 1) - Amphibians (Great Crested Newts):
 - Reptile surveys conducted seven times between March and October.
 - Badger – pre-work inspection
- 10.51. Taking into account the above, the site and its immediate surroundings therefore have potential to support great crested newts, reptiles, and badgers. All of these species are afforded a high level of legal protection under the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), and the Protection of Badgers Act 1992. Their potential presence is therefore a material consideration in the determination of this application.

- 10.52. While a preliminary assessment has been undertaken, no dedicated species-specific surveys have been provided. In the absence of this information, it is not possible to robustly assess the likely impacts of the development on protected species or to determine whether appropriate mitigation or compensation could be secured. The Council's Ecologist also raised objections to the scheme in this respect. The Agent subsequently sent an email on 5th September 2025 to rebut these comments setting out that the council has already approved adjacent development, and as this is an outline application, further ecological surveys can be secured by condition at reserved matters stage. While the site could theoretically support newts, reptiles, or badgers, no evidence of badger setts was found, and mitigation would be provided if protected species are identified.
- 10.53. Whilst the above comments are noted and recognised. The applicant's suggestion that ecological surveys can be deferred to reserved matters stage is not acceptable. As set out in paragraphs 10.47 and 10.48, the site and its surroundings have potential to support great crested newts, reptiles, and badgers, all of which are afforded strict legal protection under the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), and the Protection of Badgers Act 1992. Their potential presence is therefore a material consideration in determining this application.
- 10.54. In the absence of species specific reporting and information, the Local Planning Authority cannot robustly assess the impacts of the proposal on protected species or establish whether suitable mitigation or compensation could be secured.
- 10.55. Accordingly, the LPA cannot lawfully grant planning permission until sufficient ecological information is provided to demonstrate that impacts on protected species can be properly assessed and mitigated.
- 10.56. The proposal is therefore contrary to Policies LP16 and LP19 of the Fenland Local Plan (2014), as well as the above legislation, which collectively require development to safeguard biodiversity and legally protected species.

Biodiversity Net Gain (BNG)

- 10.57. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.58. The accompanying Biodiversity Net Gain (BNG) assessment, contained within the Preliminary Ecological Appraisal, uses the statutory Biodiversity Metric calculation tool to estimate the pre-development value of the site. The assessment indicates that the site currently supports 11.33 biodiversity units (11.14 habitat units and 0.19 watercourse units). To achieve the required 10% gain, an additional 1.11 habitat units and 0.02 watercourse units would need to be created. This would result in a post-development value of at least 12.46 biodiversity units (12.25 habitat units and 0.21 watercourse units).

- 10.59. Limited information has been provided within this outline application regarding how the required 10% uplift would be delivered. However, should planning permission be granted, the standard pre-commencement condition relating to BNG would be imposed to ensure that the required gains are secured prior to the commencement of development. On this basis, no objections are raised in relation to BNG, subject to the imposition and discharge of the necessary condition, should the application be approved.

Planning Balance

- 10.60. In terms of sustainability the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives. This stance is supported by LP1 of the Fenland Local Development Plan.
- 10.61. In respect of the economic strand, the proposal seeks to provide three market dwellings. While any residential development generates some limited economic benefits through construction activity and the modest contribution of new households to local expenditure, the scale of the development is very small. Furthermore, given that the Council can demonstrate a robust Five-Year Housing Land Supply of 6.6 years, these limited economic benefits carry very little weight in the overall planning balance. The proposal does not contribute significantly to the delivery of infrastructure or economic growth in the district.
- 10.62. In terms of the social strand, the development would make a negligible contribution to housing supply, given it pertains to three market dwellings. The site is located in a Small Village with very limited local services and facilities, meaning future occupants would be heavily reliant on travel to nearby villages or Market Towns for everyday needs. Sustainable transport options are limited, and accessibility is constrained, particularly during inclement weather. While technical matters such as parking, amenity, and noise from the nearby railway could be addressed at reserved matters stage, the site's location in an "Elsewhere" area limits the social benefits of the scheme. Consequently, the social benefits are negligible.
- 10.63. Lastly, in terms of the environmental strand, the proposal has significant environmental constraints. The site lies within Flood Zone 3, and the Sequential Test has not been properly undertaken in accordance with updated June 2025 guidance, with the Exception Test only partially satisfied. As such, the development is contrary to Policy LP14 and national flood risk guidance. The site is also beyond the established built form of Turves, encroaching into open countryside. This would harm the rural character and appearance of the area and set a precedent for further unsustainable piecemeal development, contrary to Policies LP12 and LP16(d).
- 10.64. Furthermore, from an ecological perspective, insufficient species-specific survey information has been submitted to assess potential impacts on protected species, including great crested newts, reptiles, and badgers, contrary to Policies LP16 and LP19 and relevant wildlife legislation. While a Biodiversity Net Gain condition could secure habitat enhancement, the absence of survey data prevents a proper assessment of likely impacts.

10.65. Taking into account the above, the proposal does not achieve the three dimensions of sustainable development. The negligible economic and social benefits of providing three market dwellings are clearly outweighed by the environmental harm, including the failure to meet national flood risk requirements, the encroachment into open countryside, and the lack of ecological information to safeguard protected species. Therefore, the development is not considered sustainable and is recommended for refusal.

11 CONCLUSIONS

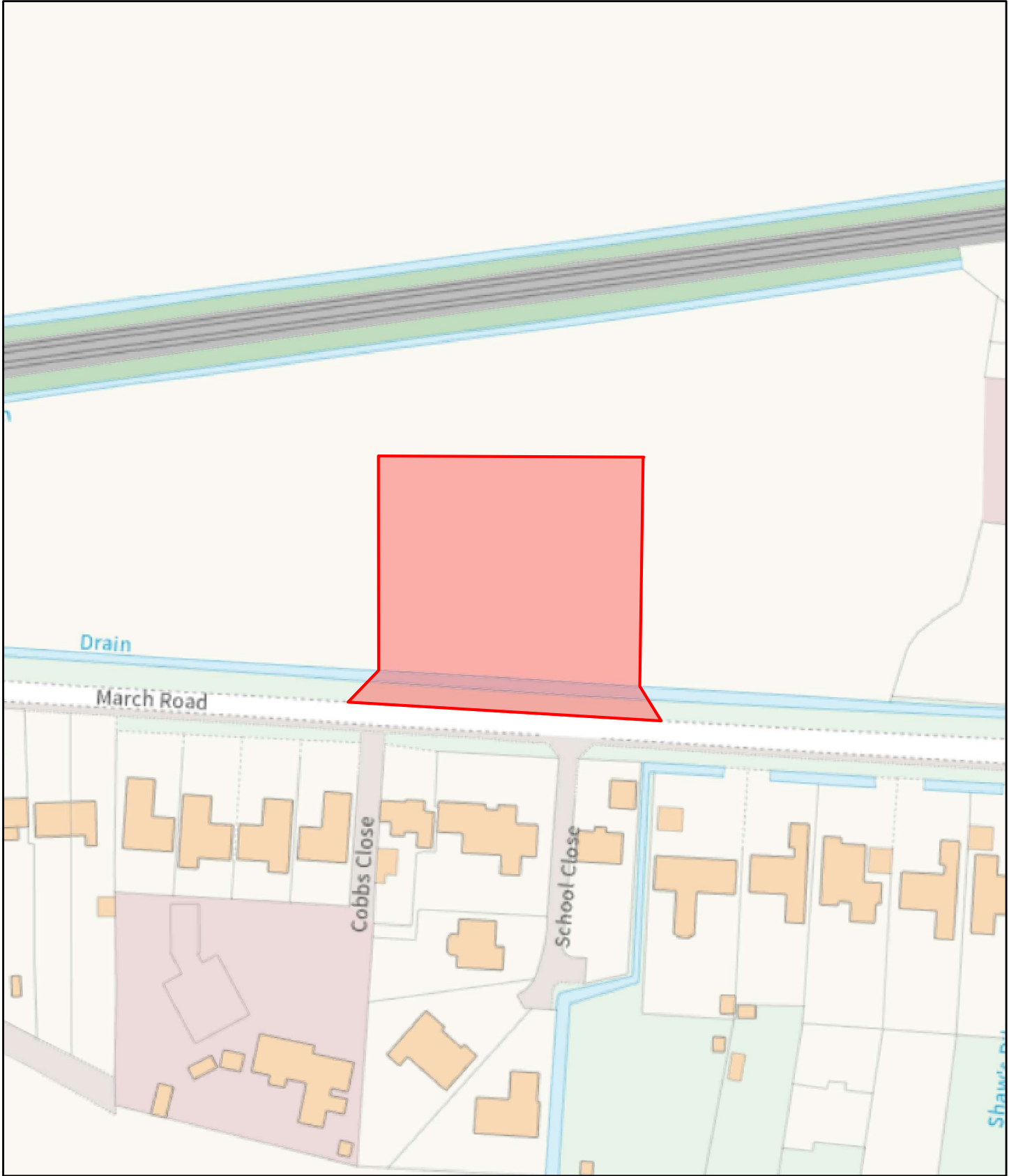
11.1 Taking into account the above assessment, giving appropriate weight to the Council's previous decision it is considered that the principle of development is accepted. However, the site lies beyond the established built form of Turves and encroaches into open countryside, harming the rural character and creating a precedent for further piecemeal development, contrary to Policies LP12 and LP16(d) of the Local Plan and Policy 7 of the Whittlesey Neighbourhood Plan. In addition, the Sequential Test for flood risk has not been properly undertaken, and the proposal does not demonstrate wider sustainability benefits required under the Exception Test, contrary to Policy LP14 and the NPPF. Furthermore, insufficient ecological survey information has been submitted to assess potential impacts on protected species, including great crested newts, reptiles, and badgers, contrary to Policies LP16 and LP19 and relevant wildlife legislation. For these reasons, the application is recommended for refusal.

12 RECOMMENDATION

Refuse, for the following reasons:

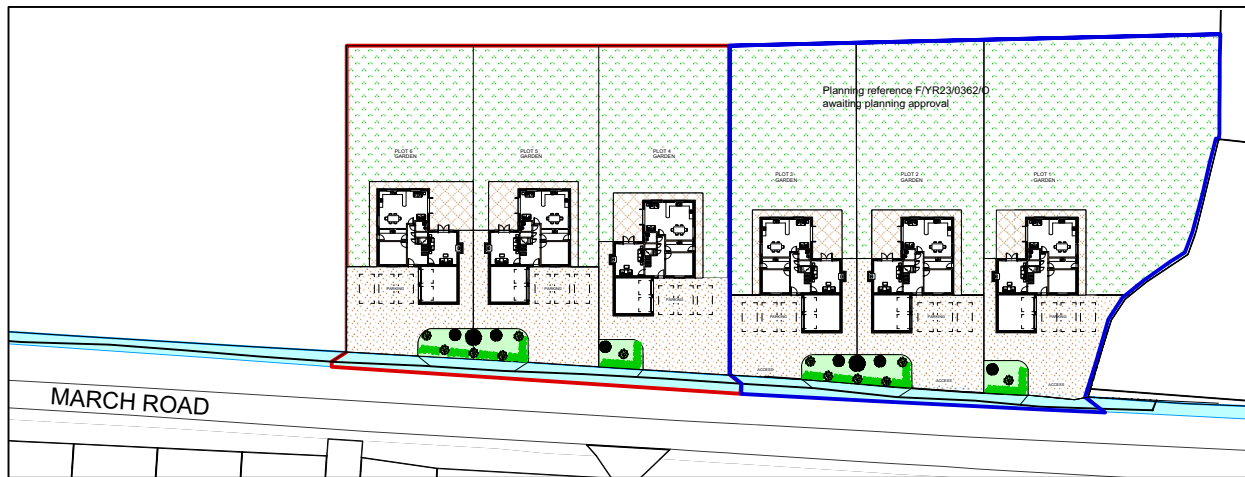
1	The proposed development, by virtue of its siting on the northern side of March Road beyond the established built form of Turves, would result in the unwarranted encroachment of residential development into open countryside. The scheme would fail to respect the core shape and form of the settlement, would erode the openness and rural character of the area, and would create an undesirable precedent for further piecemeal expansion. Whilst the extant permission to the east is acknowledged, the cumulative effect of additional dwellings in this location would intensify the domestication of the landscape to the detriment of its character and appearance. The proposal is therefore contrary to Policies LP12 and LP16(d) of the Fenland Local Plan and Policy 7 of the Whittlesey Neighbourhood Plan.
2	The application site lies within Flood Zone 3, an area of high probability of flooding. In the absence of a robust Sequential Test, the applicant has failed to demonstrate that there are no reasonably available sites at lower risk of flooding within the appropriate area of search, as required by national and local policy. Furthermore, the proposal does not deliver wider community sustainability benefits sufficient to satisfy part (a) of the Exception Test. The development therefore fails to comply with Policy LP14 of the Fenland Local Plan (2014), the National Planning Policy Framework, and associated Planning Practice Guidance, which seek to steer new development to areas of lowest flood risk and ensure that where development is necessary in higher-risk areas, the tests of suitability are

	fully met.
3	<p>Insufficient information has been submitted to demonstrate the likely impacts of the proposed development on protected species, including great crested newts, reptiles, and badgers. The application is not supported by the necessary species-specific surveys to assess the presence, abundance, or potential mitigation requirements for these species. As a result, the Local Planning Authority is unable to determine whether the proposal would comply with its statutory duties or safeguard biodiversity. The development is therefore contrary to Policies LP16 and LP19 of the Fenland Local Plan, the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended), and the Protection of Badgers Act 1992.</p>

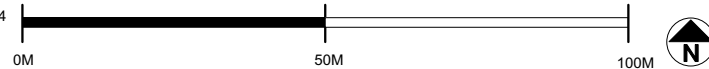


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 Fenland District Boundary



Scale Bar - 1:1250 @ A4



Project LAND WEST OF 491 MARCH ROAD, TURVES			Aspect Architectural Design	
Title INDICATIVE PROPOSED BLOCK PLAN			Architectural Designer 29A Church Street Northborough Peterborough PE16 5BN Telephone: 07907000647	
Scale 1:1250	Date JULY 20	JOB No 286	© Copyright	
Category D	Client Reference (-)	Revision No 03		